IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4015 OF 2007
IN
SUIT NO. 1947 OF 2007

Prakash Karsandas Ved and Ors. ... Plaintiffs.

V/s.

Nensee Construction Pvt.Ltd. & Ors. ... Defendants.

Mr. P. Saxeria with Mr. K.A. Sampat for the Plaintiff.
Mr. A.Y. Bookwala, Sr. Counsel with Mr. Deepak Chitnis for Defendants 1 to 3.
Mr. Milind More, A.G.P. for Defendant 2.
Mr. V.M. Bharadwaj i/b. Mr. R.B. Mokashi for Defendants 4 to 7.
Mr. Samir A. Vaidya i/b. Mr. R.B. Mokashi for Defendant 6.
Ms. Pushpa Goswami for Defendants 8 to 10.
Mr. Charu Abuwala i/b. M/s. Dave & Co. for Defendant 11.
Mr. Madhavsi G. Ved, Defendant No.14 present in person.

CORAM : DR. D.Y. CHANDRACHUD,J.

18TH DECEMBER 2007.

P.C. :-

. Counsel appearing on behalf of Defendants 1 to 3 states that Defendants 1 to 3 have no objection to the ad-interim order dated 1st November 2007 being continued as an order on the Notice of Motion and that

in addition, the aforesaid Defendants shall not demolish the existing structure and/or develop the property forming the subject matter of the suit. The statement is accepted. In addition, it has been stated that if the aforesaid Defendants intend to carry out any tenantable repairs, they shall furnish advance notice to the Plaintiffs and in the event, that the Plaintiffs have objection thereto, the parties or any of them will be at liberty to apply to the Court for appropriate relief. It is also agreed that in the event that plans are sanctioned by the Municipal Corporation, the parties will be at liberty to apply for a modification of the order of the Court. All the rights and contentions of the parties are kept open.

2. The Notice of Motion is accordingly disposed of in the aforesaid terms, since the parties have arrived at the aforesaid workable arrangements at the present stage.